

Notice of Allowability

Application No.

10/025,014

Applicant(s)

JANSSEN, HOLGER

Examiner

Behrooz Senfi

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10/3/2007.
2. ☒ The allowed claim(s) is/are 26-29,31-36,38-47 and 49, renumbered as 1-21.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

Allowable Subject Matter

1. Claims 26 – 29, 31 – 36, 38 – 47 and 49, renumbered as 1 – 21 are allowed.
2. The following is an examiner's statement of reasons for allowance: The prior art of the record fails to anticipate or fairly suggest, a method of producing road or street section data for a digital map, the method comprising the steps of:
 - a) providing a vehicle (7) comprising an image producing device (1) and a position determining device (4), the image producing device (1) comprising means for generating image data of surroundings of the vehicle and the position determining device (4) comprising means for generating vehicle position data, the surroundings of the vehicle including at least one road or street section (8) on which the vehicle (7) is driven;
 - b) driving the vehicle on the at least one road or street section (8);
 - c) during the driving of the vehicle of step b), simultaneously collecting the image data of the surroundings including the at least one road or street section (8) with the image producing device (1) and acquiring the vehicle position data with the position determining device (4);
 - d) analyzing the image data with an image processing means (2) to put together or assemble a road or street section description, wherein the road or street section description obtained from the image data includes changes in pre-existing road or street section data of a pre-existing digital map due to road construction;

e) correlating the vehicle position data and the road or street section description obtained in step d) with a correlation means (5), in order to produce the road or street section data for the digital map; and

f) comparing the road or street section data produced in step e) with the pre-existing road or street section data by means of a comparison means (21) in order to update the pre-existing digital map for the changes due to the road construction, as claimed in independent claim 26, renumbered as 1 and similarly in independent claims 32 and 42, renumbered as 6 and 15.

Claims 27 - 29, 31, 33 - 36, 38 - 41, 43 - 47 and 49, renumbered as 2 - 5, 7 - 14 and 16 - 21 are allowed with respect to dependency to allowable independent claims 1, 6 and 15.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Contact

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Behrooz Senfi whose telephone number is 571-272-7339. The examiner can normally be reached on M-F 7:00-3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on 571-272-7418. The fax phone

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number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Behrooz Senfi
Examiner
Art Unit 2621

~~RECEIVED~~
PRIMARY EXAMINER
